

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ERNEST E. CLARK, IV,
Plaintiff,

v.

PATRICK EATON, et al.,
Defendants.

No. 2:20-cv-1159-EFB P

ORDER

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. He alleges that on September 7, 2018 and again on December 13, 2018, he fell in the shower at the Sierra Conservation Center (“SCC”) in Tuolumne County. ECF No. 1. He claims that he is disabled – having lost a leg in a car accident – and that the showers at the SCC did not accommodate his needs. He is now housed at California State Prison, Solano and vaguely alleges the existence of “on-going constitutional violations.” *Id.* at 15.


Although Solano County lies within the Sacramento Division of this court, the crux of plaintiff’s claims – the two falls at SCC - arose in Tuolumne County. Tuolumne County is in the Fresno Division of the United States District Court for the Eastern District of California, and this action should have been commenced there. E.D. Cal. Local Rule 120(d). Where a civil action has not been commenced in the proper division of a court, the court may, on its own motion, transfer the action to the proper division. E.D. Cal. Local Rule 120(f).

1 Accordingly, it is hereby ordered that:

- 2 1. This action is transferred to the Fresno Division.
- 3 2. The Clerk of Court shall assign a new case number.
- 4 3. All future filings shall bear the new case number and shall be filed at:

5 United States District Court
6 Eastern District of California
7 2500 Tulare Street
8 Fresno, CA 93721

9 DATED: June 24, 2020.

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11 EDMUND F. BRENNAN
12 UNITED STATES MAGISTRATE JUDGE
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